Overnite
Organizing continues.
p. 3

United Parcel
Time to build for contract.
p. 4

Pensions
CSPF trustee resigns.
p. 8

FMLA
New tool for unionists.
p. 10

Convoy Dispatch

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 — February 1997 #157

Teamsters Can Lead Labor

General President Ron Carey's re-election is a milestone for our union and a reason to celebrate. The election affirmed the fundamental shift our union has taken toward democracy.

Think how far we've come. Just eight years ago we won the Right to Vote. In 1991 the old guard denied any problems existed and fought the reform process. By 1996 the old guard – in public at least – adopted our reform platform.

Sixty thousand more Teamsters voted in the 1996 election than in '91, a sign that democracy is growing. All Teamsters can take pride in this progress.

Our Teamsters union today holds great promise for all of labor. For this reason, our celebration has to be short. There is much work to be done, and the road ahead is not mapped out. We can lead the revitalization of the labor movement, if we choose that road and together map the course.

Unity

There is much talk of unity in our union. We need to unify so we can marshall our resources to take on corporate greed, and so we can inspire the majority of people in North America.

Some of those talking about unity may mean we've gone far enough. The job is done, and the members can go back to sleep. Unity to water down the members' drive for reform and new leadership. That's a danger we face.

Have we really gone far enough? The labor movement is not recognized by most Americans as a powerful force to positively affect their lives. Many Americans have only seen a labor movement declining in numbers and strength.

We made a great beginning. The International union has moved resources from officials' perks to membership services, education and organizing. Corruption is on the run. More officers than ever are honest, hard working Teamsters. Members' participation is now welcomed by the International and by many locals. These are the first steps toward formulating a new program for our union.

Unity for unity's sake is fool's gold. Our unity should be based on a program that can build rank and file power and revitalize labor. A program that will:

- Build democracy in every local and fight corruption wherever it raises it's ugly head.
- Encourage new leadership and more leadership diversity.
- Build membership involvement in every local, in every contract fight, in every organizing drive.
- Reach out in solidarity to other unions and the community.

This is our next challenge, and it's even bigger than what we've done to date. Our accomplishments so far give us the tools to fight corporate greed.

There will always be those in our union who will want to take the comfortable course. But we need to choose the direction that can build real Teamster unity and give working people hope again.

Will the 13 newcomers to the General Executive Board take multiple salaries?

See article page 6.

Needed: More New Leaders

"I ran along with others on the TEAMsters Slate because we need new leadership in this local. We need to go in new directions. We need new ways to take on big companies like Kroger, where I come from. I want to be a small part in making that happen, along with the Ron Carey team at the International and with the TDU movement."

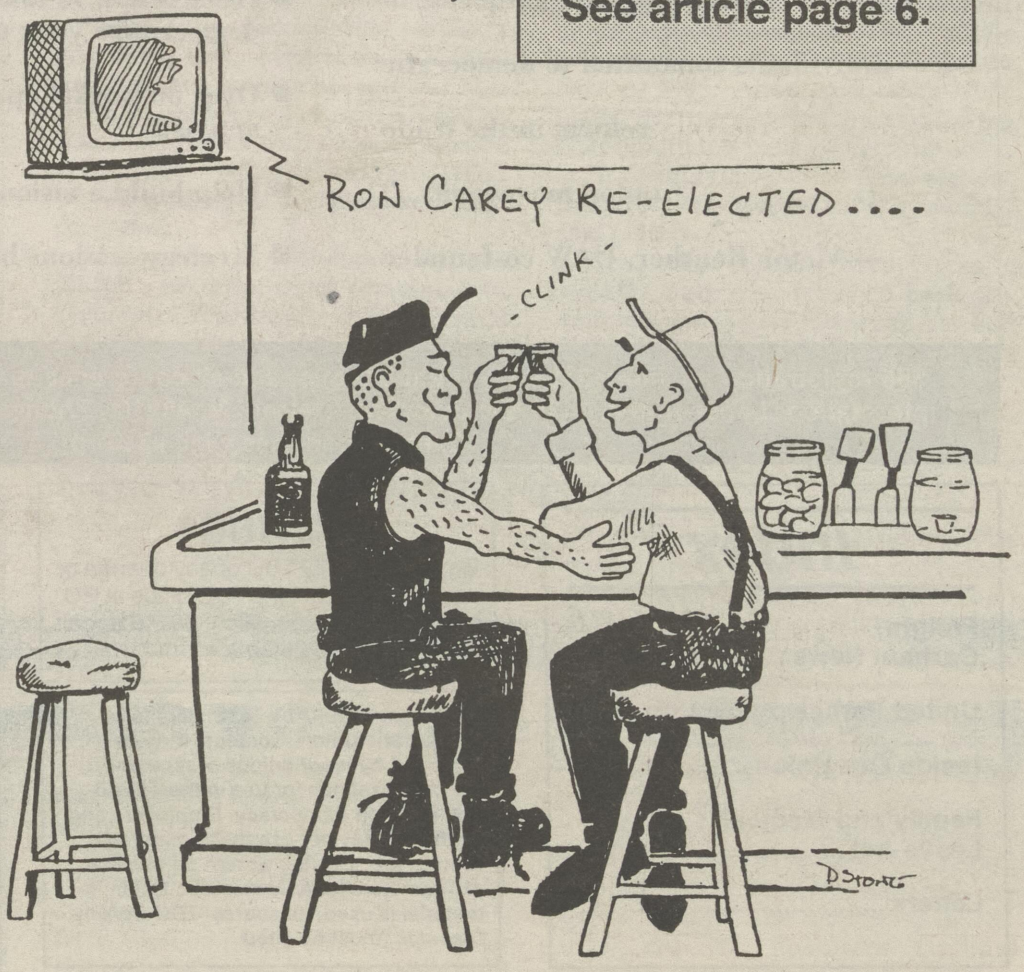
– Jim Waggoner, the newly elected Secretary Treasurer of Nashville Local 327

Brother Waggoner is one of many newly-elected local officers. He got there by educating himself and involving himself in our union and in the TDU movement.

Our union needs to develop thousands of new leaders to work with our officers and to get involved in organizing drives, political action, contract campaigns, and the life of our union. And, in those locals where officers are not leading, to replace them.

Local elections are only one part, but an important part, of this process. The TDU International Steering Committee salutes those members who take an active part in this reform process.

If you want to get involved, and are not yet a member of TDU, see page 12.



Labor Notes Conference, April 18 - 20

Labor on the Move: Which Way from Here?

Ron Carey's election is part of bigger changes in the labor movement. In April, over 1,000 unionists from across the U.S. and overseas will meet at the Labor Notes Conference to discuss those changes and how to make the best of them.

Labor Notes is an 18-year-old independent grass-roots labor monthly that is dedicated to "putting the movement back in the labor movement." Its biennial conference has become a gathering place for activists working to reform and rebuild a range of unions.

Changes in the AFL-CIO

This year participants will have a chance to discuss the changes in the AFL-CIO since John Sweeney won a contested election for president in October 1995. He and Carey are allies on many of the issues facing labor, yet Sweeney did not have to win a rank and file vote for his position at the AFL-CIO or at his home union, the Service Employees International Union.

Those unionists who believe strongly in the power of democracy are now challenged to push the new, more open, AFL-CIO in the right direction. This conference will feature discussion of how to do that.

The conference will also include over 50 workshops, union, and industry meetings with examples and advice for rank and filers and local officers trying to make a difference. Participants will learn from each other, and from experienced educators, about such topics as Team Concept, mobilizing the members for better contracts, volunteer organizing committees, winning strikes, independent political action, and more.

Speakers will include Leah Casselman, head of the Ontario Public Service Employees Union that has been participating in a series of city-wide strikes to protest cuts by the provincial government; Steve Lerner, of the AFL-CIO organizing department; and Ken Paff, National organizer of TDU.

There will be a meeting for Teamster activists as well as for public workers, health care workers, and members of the Labor Party. There will be a march or action to support the striking Detroit newspaper workers if there is no settlement by that time.

TDU is part of a rich and varied network of reformers who don't often make front page headlines but who are rebuilding American unions from the ground up. The Labor Notes Conference is a chance to meet some of them, learn from their victories and defeats, and get a charge from the broader movement.

Registration for the three day conference is $85 ($105 Canadian). (Lodging is separate and must be reserved directly with the Westin in downtown Detroit.)

For more information contact the Labor Notes office at (313) 842-6262.

Labor on the Move
Which Way from Here?

Labor Notes Conference

April 18 - 20 • Detroit

"The Labor Notes Conference is the most significant gathering of individuals committed to democratic reform in the trade union movement..."
—Victor Reuther, UAW co-founder

- Over 1,000 workplace activists and leaders
- Discuss how to take on the boss—and democratize your union
- Over 50 workshops, lead by front-lines activists
- Help build a vision for tomorrow
- Strategy sessions by industry and union

$85 registration includes Saturday night banquet and all conference materials. To register or for more information: Labor Notes, 7435 Michigan Ave, Detroit, MI 48210. Phone 313/842-6262. Fax 313/842-0227 Email labornotes@igc.apc.org

Index

Freight, Carhaul News ..... p. 3
United Parcel ..... pp. 4-5
Inside Our Union ..... pp. 6-9
Family and Medical Leave Act ..... p. 10
Letters ..... p. 11

MOVING?

Be sure to notify TDU of any change of address. Contact the TDU office at P.O. Box 10128, Detroit, Mich. 48210 or call us at (313) 842-2600.

Copyright © 1997 by Teamsters for a Democratic Union. Contents may be reprinted by labor unions or rank and file organizations for use in the promotion of union democracy. Employers and all others may not use these materials without the specific, written permission of Teamsters for a Democratic Union. If material is used, its source, *TDU Convoy Dispatch*, must be cited.

How to Contact TDU

We want to hear from you. Contact us at the address below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

National Office: P.O. Box 10128, Detroit, Mich., 48210. (313) 842-2600.
TDU can be contacted via e-mail at:
tdudetroit@igc.org
or on the World Wide Web at:
http://www.igc.org/tdu/

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1995 for one year. Our Rank & File Convention had nearly 600 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Freight, Carhaul News

Time to Fight

Central Transport Out to Bust Union

U.S. Truck, which owns Detroit-based Central Transport and also Central Cartage, has served notice of intention to bust our union. CT, along with Central Cartage, used to be part of the Centra corporate empire and is under an addendum to the NMFA.

For decades Centra has played a corporate shell-game with its many companies and fronts to attack workers in both the United States and Canada. (Centra's owners even own the Ambassador Bridge, which links the two countries at the Detroit-Windsor gateway.)

Now U.S. Truck and Centra are out to bust the union at CT and put hundreds of Teamsters on the street. We cannot let that happen.

In January U.S. Truck approached the International with a plan to merge CT into U.S. Truck, a company that Centra supposedly sold off. They wanted U.S. Truck's inferior truckload contract to apply.

When the union gave a flat no to that contract deal, they presented a letter of intent to close CT. Clearly they are trying to divert the traffic, a lot of it in the automotive industry, to U.S. Truck or to Centra's nonunion subsidiaries.

The International, Midwest locals and all freight Teamsters have a fight on our hands. The International is moving to take legal action. A membership-based strategic campaign by our union may be needed, because if Central can pull off this scam, what will stop the next marginal carrier from doing it?

Freight Lines

Yellow CEO Predicts No Strike

Just prior to the Teamster election, Maury Myers, the CEO of Yellow Corporation, flatly predicted there will be no strike when our National Master Freight Agreement expires in a year.

"We will not have another strike. The Teamsters cannot afford one," Myers stated in a speech to shippers.

We all hope there will not be a strike. But we have to be prepared for one, or we will by default prepare for surrender. As for his assertion that Teamster members cannot afford to strike, we say that we cannot afford to give away anything from our contract.

Roadway Teamsters Get 401(k) Option.

The 19,000 Teamsters employed by Roadway Express now have a 401(k) retirement savings plan available to them. Roadway is the largest single employer yet that has signed on to the Teamster-sponsored 401(k). Carhaulers employed at Ryder were previously the largest group.

The plan allows Teamsters to put aside a portion of their wages into a tax-sheltered savings plan, which then is invested in one of several options. No taxes are paid until the funds are withdrawn during retirement.

The plan is virtually cost-free for an employer. It's time for all freight employers to sign on.

FHA Fatigue Study: Drivers Need More Sleep.

The Federal Highway Administration's long-running study has found that the majority of long-haul drivers examined were not getting enough sleep, showing some signs of fatigue on most tours of duty.

Trucking employers praised the study because it does not call for specific remedial proposals. But the American Trucking Associations (ATA) co-sponsored the study and steered it away from the carriers and drivers most subject to fatigue.

The data from the comprehensive study are sure to be used in various ways to argue all sides of the issue.

Our concern is that the industry is very likely going to push the FHA to raise the driving time to from 10 hours per tour of duty to 13 hours. We need changes, but this is not the right direction. The Teamsters union should make a fight on this issue, taking it to the public if necessary.

Roadway Profits Up.

Roadway's profits for the fourth quarter of 1996 were $10.6 million after taxes, a very large jump over the same period last year. For 1996, the spun-off Roadway posted a net profit of $21.8 million.

At the same time Roadway is about to initiate a change of operations, which will be both intermodal and a breakbulk change. No details are available at press time.

Overnite Teamsters from 29 Overnite terminals gathered to exchange experiences and plan for the future.

Overnite Teamsters Win in New Orleans as National Push Continues

Workers at the Overnite Transportation Company terminal in New Orleans voted for Teamster representation this week, even as the Teamster case against the company for labor law violations neared its close in Richmond, Va.

New Orleans Overnite employees voted 16 to nine for the Teamsters, despite the usual company campaign of harassment and threats.

This latest victory brings to 24 the number of terminals that have voted for Teamster representation, totaling nearly 2,500 employees. At an additional 14 terminals, totaling 1,074 workers, the National Labor Relations Board (NLRB) has ruled that labor law violations by the company made fair elections impossible and issued bargaining order complaints to the Teamsters.

"Service managers who wouldn't give us the time of day before the campaign all of a sudden became our best friends," said Jerome Kelly, a New Orleans city driver with 10 years service at Overnite. "With us sticking together, we won and now it doesn't matter what they think."

Meanwhile, in Richmond, Va., the NLRB – following up on complaints by Overnite Teamsters – has charged Overnite with a massive, systematic effort to deny workers their rights to organize. The charges include firing and harassing union supporters, denying employees who voted for the Teamsters pay raises and benefits offered to the firm's other employees, and implementing a so-called "productivity package" specifically designed to thwart the Teamster drive.

"This is a watershed case in terms of what a company willing to spend huge amounts of money can get away with," said NLRB prosecuting attorney James Fox.

A decision by administrative law judge Benjamin Schlesinger is expected in several months.

Other upcoming elections at Overnite include Houston and Cincinnati.

On Jan. 20, Overnite Teamster Steve Gately returned to work at the Memphis terminal, to the thunderous applause of his fellow workers. Gately, a union supporter, was fired for "insubordination" on trumped-up charges on Nov. 6, 1995. After complaints were filed, Overnite settled by reinstating Gately with full back pay plus interest.

"It couldn't have been done without the power we have by staying united," said Gately.

Nine other illegally fired Overnite workers have also received back pay with interest. So far, Overnite has had to pay out over $140,000 in back pay and interest.

Ryder Working on Members to Change Dispatch Rules?

Ben Grinley
Local 120, CCI
St. Paul, Minn.

On Monday January 20 CCI drivers in St. Paul, Minnesota, were asked to attend a company breakfast. After the eggs and sausage, Ryder ACD labor relations man Ron Borges got to the purpose of the meeting: he told us our dispatch rules had to "change with the times."

Angry drivers pointed out that these changes violate seniority, and that the company's inability to handle the traffic is the company's fault. They've let the board decrease in size and moved old equipment to our terminal. The meeting quickly ended, but not before a driver told Ron Borges that the company has lost some credibility through past lies we've been told.

Carhaul News

On the next day CCI filed for relief to change our dispatch rules.

The same thing is happening elsewhere. Ryder is trying to bargain directly with members to undercut our union. Neither the members, the locals, nor the Teamster Carhaul Division can let this happen.

Time To Make UPS Deliver A Good Contract

With Teamster contracts covering more than 173,000 UPS workers set to expire at the end of July, now is the time to begin mobilizing to put the pressure on UPS.

Contracts expire July 31 for 155,000 Teamsters under the National Master Agreement and for 18,000 other Teamsters who work under the closely-related agreements in Chicago locals 705 and 710. Not only is the UPS contract the largest Teamster contract, it also sets the tone for next year's National Master Freight Agreement and many other Teamster contracts.

Contract Survey

The recent tabulation of the IBT contract surveys filled out by over 40,000 Teamsters shows UPSers across the country are in close agreement on the key demands needed to achieve a good contract:

- creating more full-time jobs;
- reducing the wage gap between high-seniority and low-seniority part timers;
- controlling subcontracting;
- increasing pension benefits.

By a wide margin, UPS Teamsters ranked improved pensions and higher wages as their top priorities. Wages ranked as the number one issue for 46 percent and 41 percent ranked improved pensions as their top priority. Full timers had a higher interest in improved pensions and part timers were more interested in higher pay. Ninety percent of part timers considered creating more full-time jobs a "very high priority." Among feeder drivers, almost 90 percent see limits on subcontracting abuse as a key issue.

The survey results also reveal a high level of concern over many other issues, including: a wide variety of health and safety problems, health care benefits, protective language on new technologies, job stress, paycheck problems, over-70 abuse, and grievance reform to provide faster justice on the job. The survey results are available from your local union.

The Campaign Begins

More than half of our workforce is part time. Starting wages frozen at $8 or $9 for 15 years has left the concept of "equal pay for equal work" in shambles, with a huge wage gap between newer part timers and older ones doing the same work. UPS has unilaterally imposed subcontracting for many of its feeder runs, and many UPSers have substandard pension plans despite record-high pension contributions negotiated in the current contract by our International union.

Committee to Meet

In late February the union negotiating committee will meet to screen proposals and formulate the union's bargaining position. In early March, each UPS local will send two representatives to a committee meeting to review the union's proposals. It is anticipated that bargaining will begin soon thereafter.

The bargaining is expected to be very difficult, but not because UPS lacks money: the world's largest transportation company has accumulated an astounding total of $4 billion in after-tax profits in the last 4 years.

The problem is that with UPS, like any large corporation, you don't get what you deserve. You get what your power allows you to negotiate. Since Teamster members can't match UPS's spending power, our power has to come from the united strength of the 173,000 Teamsters who built UPS into the highly profitable giant multinational that it is today.

Contract Campaign

To turn this potential strength into bargaining clout, the International union is setting up a Contract Campaign Structure that will provide for rapid communication and mobilization of the members. The campaign structure is explained in an eight-minute video called "Make UPS Deliver" and in a booklet called the "UPS Contract Campaign Planner," both of which can be obtained from the International Union's Parcel and Small Package Division. The International Education Department has also started holding training sessions on how to build the campaign network.

Some local leaders will take the lead in mobilizing the members for the campaign. But many local officials will just sit back, see what happens and blame the members and the International if the contract fails to live up to expectations. This is where TDU comes in. It will be up to the thousands of TDU rank and file activists to work with the International and become the backbone of an effective campaign network in locals where the leadership either cannot or will not do so. Our contract is too important to be left in the hands of old guard officials who would rather commit political mischief than fight for a good contract.

Action Now

We can't afford to wait to see what tidbits UPS will dangle our way at the last minute before the contract expires. Here's what you can do to help set up the contract campaign in your area, NOW:

1. Contact your local union and ask what you can do to help set up the contract campaign network.

2. Circulate copies of the video "Make UPS Deliver" and of the "UPS Contract Campaign Planner" among your co-workers. You and your co-workers can build the contract campaign yourselves if you don't get enough help from your local. Copies of the video, the Planner, and the Contract Campaign Charts will be sent to you if you contact the International Union's Parcel Division at 25 Louisiana Ave. N.W., Washington, D.C. 20001.

3. Start saving money every week for a possible strike. Nobody hopes for a strike, but the best way to avoid one is to show UPS we are prepared for it if that is what it takes to get a good contract.

4. Join TDU. TDU is the place to be if you want to share your experiences with others, learn from other rank and filers what works and what doesn't for them, and learn together how to get the job done.

Remember, it's not UPS's contract or Ron Carey's contract. It's OUR contract and OUR union. So be wise—Organize!

Health & Safety Could Improve with Next UPS Contract

Don Humphress
Local 89, UPS
Louisville, Ky.

UPS package car drivers deal with a myriad of inconveniences and minor discomforts in the course of our work. And a great many of us disregard the wear and tear on our bodies from repetitive straining motions as we try to adapt ourselves to the existing equipment. All too often we are cynical about filing grievances on faulty equipment.

I have written up safety defects on my DVIR's for my regular package car as required. However, when I arrive the next day, the safety defects I reported were not repaired and I am required to drive the vehicle. Despite this continuing discouraging scenario, I remain optimistic that maybe this time, this particular contract campaign might include improvements in these areas:

- **Windshield wipers.** The windshield wipers do not keep the windshields clear in heavy rainfall. The wipers push the rainwater to the top of the windshield and release the rainwater causing it to fall down in my line of vision.
- **Defrosters.** The defrosters are ineffective and don't keep the inside front windshield and side door windows free of frost. In cold weather when it snows or sleets, the windshields ice up so badly that sometimes I have to stop and scrape the window to see. The side mirrors often need to be manually cleaned in order to use them.
- **Gearshift.** The straight 25-inch to 29-inch tall gearshifts are hard to use. I have to strain and/or lean out of my seat to the right to get the vehicle in third gear. This continuous strain and repetitive use in shifting this type of gearshift every day over time causes pain and injury to my arm, elbow and/or shoulder. The gearshift should be the same as in the new vehicles: long and curved towards the seat.
- **Driver's seat.** The seat on which I sit every day, all day long, causes me to have a sore back at the end of the day. I suspect it is a major source of back problems many UPS drivers experience. The seat has very little cushion, sits on a steel post without any give and does not absorb vibration from the road. For my protection and health, our seats should be like those in the new vehicles: bucket seats and shoulder straps.
- **Ventilation.** The ventilation in the package compartment of my vehicle is unbearable in summer months when it is hot. This problem is even worse when exhaust and engine fumes are allowed into the vehicle due to bad seals.

The integrity and safety of our vehicles is an important issue. Safety should be more than words on paper and catchy phrases in A.M. meetings. Safety and health concerns should be addressed with persistent concrete action which translates into safer, healthier and ergonomically correct equipment. Let's make this a major issue in our upcoming negotiations with UPS.

Needed: Rank & File on Negotiating Committee

Ron Carey will soon name the National Negotiating Committee for our contract. We urge that several rank and file UPS Teamsters be included. They can bring to the table—and up-close-and-personal to management—the feelings of those who move the packages every day. And they can then go out to the rank and file at various hubs, centers and local unions to serve as a communications link between the leadership and the membership.

New Updated Version!

UPS Driver's Daily Log Book

New edition updated to keep up with changes at UPS. A must for package car drivers. Keep the record straight with the charts in this durable, spiral-bound notebook. Helps you to keep track of all the details that affect your job at UPS. Each book lasts three months and provides ample room for your notes. $2.50 each; $2 each for 5 or more copies.

Please send me_____logbooks. ☐ check enclosed

☐ Visa/Mastercard #_____ Exp. date _____/_____

Signature _____

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Return to: TDU, Box 10128, Detroit, Mich. 48210

NAACP Says UPS a 'Time Bomb' in Oakland Community

Bob Mattingly
Local 896, retired
Oakland, Calif.

Nearly 400 UPS Teamsters, family members and sympathetic past and present supervisors listened, cheered and agonized for four hours on Dec. 7 as 35 workers testified, as one worker said, that "racism is alive at UPS." A supervisor who was "forced to leave UPS because I was too sympathetic to workers" asked the NAACP-sponsored panel to listen "because black and white UPS workers are hurting."

The public hearing in Oakland, Calif., was called by the NAACP after complaints were received from a number of UPS employees, and after a meeting between those workers and Local 70 officials attended by an NAACP leader.

Workers Testify

The hearing was set up to take testimony from UPS workers concerning allegations of racial discrimination and unfair labor practices in the Bay Area. Workers were also invited to testify about unsafe working conditions, wrongful discharges, sexual harassment, and payroll discrepancies.

A white female driver related repeatedly being offended by white supervisors' racist language. Workers spoke of being called "boys," "monkeys," and worse.

Testimony indicated that racial harassment is not restricted to insults. Black drivers said that they were more likely to be given routes in unsafe districts than whites. Reportedly, a UPS supervisor told a black driver that "white drivers can relate to (white) people in the hills better and that black drivers can relate to (black) people in the ghetto." A black driver was murdered, and there were three package car armed robberies in the past 18 months. One driver was accused of staging a robbery of his own truck and was jailed on Christmas eve. The driver lost nearly six months of work before he was cleared of all charges. UPS trucks are not equipped with phones or radios; no wonder a driver asked, "Is the issue money or our safety?" Another driver simply said, "I'm terrified of driving late at night." The slain driver's mother was given a standing ovation, after she softly and hesitatingly revealed that UPS blames her son for his own death and wants her to accept a nominal money settlement, or presumably face lengthy litigation.

The panel opened the hearing by saying it wanted to hear workers' complaints against UPS and not the union. The six-person panel included the head of the local labor council and the president of Local 70. The NAACP representatives said they intended "to work hand in hand with the union to solve problems with UPS." However, workers' complaints about the union kept creeping into the testimony. One driver said that he couldn't get help from UPS or the union after being accosted by drug dealers on his route. "If the union had done its job, we wouldn't be here now," he charged. A 19-year veteran driver, one of the original grievants, said, "Our union has not represented us as African-Americans." He said that he's petitioning the Teamsters Black Caucus, hoping to get some leadership. A 13-year driver said Local 70 has no black officers and he's "sick of the union and UPS working together." A package loader spoke of having to handle over-70-pound package, and said that there was "no one from the union that I can relate to."

The panel asked Chuck Mack to make a statement before the mike was opened to everyone else. Mack said he was primarily interested in problem solving, and welcomed the NAACP's concern. Mack said his local handled 2,500 UPS grievances in the last three years and that proves that the system works. He went on to say that 20 years ago, in order to get more jobs at the Oakland UPS hub, the union agreed to give UPS unspecified "flexibility." Following the hub's expansion, however, relations with UPS soured. Mack seemed to imply that care must be taken or UPS might move the Oakland jobs to outlying areas. A part-timer related how he was injured by a falling metal plate. He said that as far as safety is concerned, "UPS and the union are a joke. Lots of employees don't know who Mack is. We need employees to be organized."

Investigations Continue

The NAACP said a further hearing will be held, and investigations will continue. The NAACP emphasized that the union has the organization's support. The need for immediate action was made clear by two comments: "UPS is all we have," said a young part timer. "We feel like we have to take abuse from them. We feel like, if we don't, we'll lose our jobs." As the hearing ended, an NAACP leader concluded, "UPS is a time bomb in the community."

UPS & Downs

Class Action Lawsuit in Illinois.

Illinois is one of the states where UPS package-car drivers have filed a class action lawsuit over being coerced by the company into doing "off the clock" work. Recently UPS had the Republican leadership in the Illinois Senate bring up a bill trying to pass "special-interest" legislation that would enable UPS to get out of the liability of the lawsuit. Thanks to Senator Carl Hawkinson (R) of Galesgurg, UPS was defeated by an extremely close vote of 28 to 28. This was from a Senate in which the Republicans held a 10-vote majority.

This was a do or die vote for UPS because with the November elections the Illinois House of Representatives went Democratic and the bill is not likely to come up again.

UPS spent hundreds of thousands of dollars trying to get this legislation passed. The Speaker of the Senate alone was alleged to receive over $32,000 from UPS in campaign contributions.

About 10 drivers (named complaintants) from Galesburg met with Senator Hawkinson and were able to convince him that the judicial system was where the lawsuit needed to be heard, not the legislature.

Southern Grievance Panel Change.

The Southern regional grievance panel hearings will operate differently starting in February, due to changes initiated by the union. Instead of three separate geographic panels (East, West and Central areas of the nine Southern states), there will be an overall discharge and discipline panel and an overall panel for other grievances.

Union reps we talked with feel the change should be for the better. Under the old system the company operated in a more coordinated way and did a better job of making use of the most favorable decisions from each of the three areas.

The union reps plan to increase communication and coordination as well.

The Grinch of St. Louis Says No Innocent Till Proven Guilty

John Youngermann
Local 688 Steward
St. Louis

Ron Carey negotiated the first innocent-till-proven-guilty clause in Article 7 of the UPS National Master Agreement. But how many of us understand its application?

Take the recent cases of two employees at Earth City, Mo. In the first case a package car driver was taken out of service one week before Christmas for insubordination. Under Article 7, he had the right to "remain on the job without loss of pay unless and until the discharge or suspension is sustained under the grievance procedure." The clause has exceptions, for "cardinal sins" but insubordination is not one of them under our Central Supplement.

I cannot see any reason why this employee was not allowed to remain on the job. It was a situation which has happened to others, including me. The center manager sent a supervisor on route, seemingly to harass or antagonize the driver. All problems are blamed on the driver. Once the frustrated driver reacts, they magnify what the driver said and ultimately a discharge results. But, insubordination comes under "innocent till proven guilty."

The second discharge occured just two days before Christmas. Maybe the division manager has an alias of Ebenezer Scrooge. This driver was fired for "dishonesty," which is a cardinal sin under Article 17(a) of our Supplement. But the company was stretching the truth to use it. He made a routine call to the supervisor to advise that he had a lot of stops left, he estimated 70. Later he realized, after making more stops and trying to make pick-ups before business closures, that he had mis-estimated and called back to say he would be very late. The next day he was fired for "dishonesty."

At the local level hearing, management presented no facts other than delivery records, nothing that indicated dishonesty.

Then came the company offer: six days off without pay. The business agent told him that the grievance panel would not meet for another five weeks and the company could push his case up to the JAC, which would mean two more months off the job.

This scene is repeated over and over at UPS terminals. The driver should have been presumed innocent and kept on the job. The BA said there was nothing that could be done if UPS does not respect the contract regarding innocent-till-proven-guilty.

It Can Be Fought

Article 7 provides for "authorized representatives of the union to file grievances alleging violations of this agreement" (innocent till proven guilty). The union can file over a violation of Article 7, and fight to put the Teamster back to work **before** the discharge issue is ever heard. If our grievance panels would take this stand, it would at least make the company defend its disregard of the contract. Finally, our contract negotiators need to take a look at UPS's blatant violation of this clause. How about big monetary penalties for violating it?

Ebenezer Scrooge was visited by three ghosts and then able to see the error of his ways. We, the members, need to be the ghosts that organize and insist on justice and enforcement of our contract rights. And we need to put into leadership of our locals Teamsters who are willing to fight alongside the membership.

New International Officers

Will They Take Multiple Salaries?

When the new International officers are sworn in there will be 13 new additions (out of 27) among the trustees and General Executive Board members. Eight ran on the Carey Slate and five on the Hoffa Slate. All are local officers and thus have the possibility to take multiple union salaries.

Multiple salaries have been standard issue for many Teamster officials for decades. The area conferences, abolished in 1994, seemed to exist primarily to provide some 62 officials with an extra salary.

For rank and file Teamsters, multiple salaries have been a source of anger and embarrassment. They drain our union's resources and put some officers in the upper class with the employers.

That's why TDU has opposed multiple salaries (and outrageously high individual salaries) for Teamster officers. That's why the $100,000 Club is the most eagerly anticipated (and, to some, despised) issue of *Convoy Dispatch* each year.

Then we won the Right to Vote. Ron Carey ran for office on a platform of reforming this system. Suddenly the fat cats had to face the members.

Since then the fat cats have gone on a diet. Reforms from the Carey administration and the General Executive Board, coupled with political pressure from TDU and the rank and file, have improved the situation greatly.

Thirteen New Officers

Ron Carey has lived up to his pledge. He has cut his own salary from $225,000 to $150,000 and declined to take the annual cost of living increases provided in the IBT Constitution. He's cut fat in the International and eliminate the Conferences. And the General Executive Board froze the Affiliates Pension Plan, a multiple pension plan for all full time officials.

Ron Carey's Slate did not make an explicit promise to refuse extra salaries, but it's no secret where Carey stands on the issue.

Now there are new members of the Carey Slate and five from the Hoffa Slate coming on board. We hope they will live up to the best in union principles and decline to take multiple salaries.

Eastern Region Vice President Tom Gilmartin put it this way: "We ask rank and file Teamsters to volunteer their time for organizing drives, to volunteer their time for political action programs and community service. Our best activists put in countless hours each month over and above the manual labor at their jobs, and they do it for the satisfaction of strengthening our union and improving the standard of living for all working people. Why should our union officials ask for or deserve anything more? Last time I checked, this was a movement, not a profession."

If you have opinions on this issue, we'd be happy to hear them and consider them for publication.

It's Official

Carey Declared the Winner

On Jan. 10 it became official: the Election Officer (E.O.) declared Ron Carey the winner for Teamster General President. The E.O. by that time had resolved some 28,000 of the original 41,000 challenged ballots. The remaining balance of 12,956 challenges is far less than Carey's lead of 15,567 votes, so we can now officially say "goodbye" to Junior Hoffa.

Carey has 233,369 votes (52%) to Hoffa's 217,802 (48%). General Secretary Tom Sever and the Carey slate at-large vice presidents and trustees are well ahead, and will be officially declared the winners as soon as a few more challenged ballots are resolved at the end of January.

Sweep in the West

In other good news, it now appears that the Carey slate will sweep the Western Region, thanks to the strong support of California cannery Teamsters. Chuck Mack, on the Hoffa slate, was initially holding the third vice president slot there until Jan. 9. Mack's 219 lead then turned into a 212 vote deficit. Ed Mireles pulled ahead of Mack after 2,000 challenged ballots were counted, primarily from cannery Teamsters in Modesto, Stockton, Watsonville, Salinas and elsewhere.

With only 1,905 challenged ballots left in the West, it looks like a Carey sweep. Ken Mee and Tom Leedham are well ahead, holding the first two of three positions.

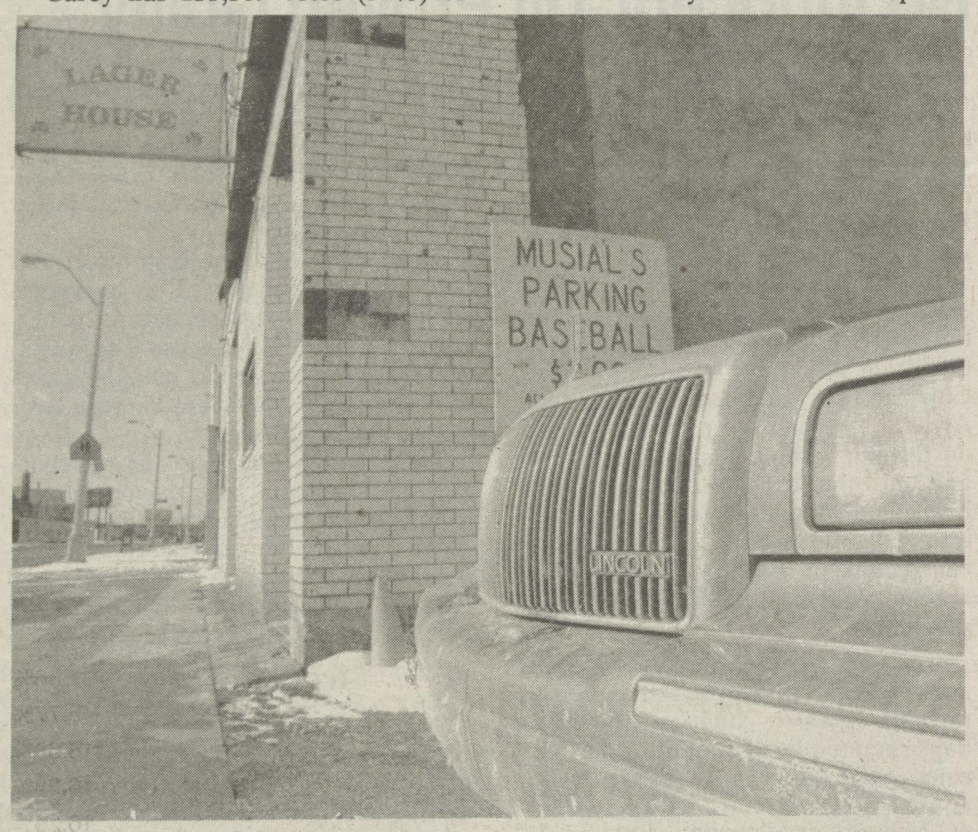
If this holds, the scorecard is 22 wins for the Carey slate and five for the Hoffa forces. It may be weeks before all the challenged ballots in the West are finally resolved.

No Date for Inauguration Set

No date has yet been set for the inauguration of Ron Carey and the new General Executive Board. The Election Officer will likely officially declare the final winners—in the West —in early February. The Hoffa slate will likely file every possible protest and appeal afterward. The law firm of Baptiste and Wilder filed Hoffa's own post-election protest, which rehashed old Hoffa allegations, on Jan. 24.

In 1991 Carey invited all members to attend the inauguration, and the crowd was so large it spilled over the street in front of the IBT building. He very likely will again invite all interested Teamsters.

The inauguration may well be in March. We will make the information available as soon as it is announced.



Detroit Local 337

Can't Find Your BA?

"Can't Find Your Business Agent? Call the Lager House." That's the headline from a campaign flyer in Detroit Local 337, where Bob Jordan's New Teamsters 337 slate is challenging Larry Brennan's regime in the 8,400-member local union. The Lincolns start to line up at the Lager House each weekday about 11:30 a.m. The reformers' flyer goes on to provide the bar's phone number, so members may have a chance to contact their BA!

Jordan's reform slate is in an uphill battle, taking on Brennan and his "Administrative Assistant" James Hoffa, and 337 vice president Bobby Holmes Jr. The Brennan-Holmes-Hoffa families have ruled this local since the 1930s. Bert Brennan (Larry's father) was a business partner of the late James Hoffa and involved in employer pay-offs with him. Holmes' father left Local 337 when he signed a consent order with the Justice Department to leave the Teamsters.

The rank and file New Teamsters 337 slate is campaigning hard among the Teamsters in grocery warehouses, soft drink plants, factories and other Local 337 shops.

Vote Results by Local Union Available

The vote count for Ron Carey and James Hoffa in each local union was printed in the January *Convoy Dispatch*. In addition, TDU has the full official tally for each local union for all the candidates. If you would like this information for your local, contact TDU.

Can Hoffa Recognize a Picket Line?

The strike by six local unions—including two Teamster locals—against the union-busting Detroit Newspapers is now in its 18th month. James Hoffa, who is the whiz kid of Detroit Joint Council 43 and whose supporters have major responsibility for the strike, has not shown much leadership. Now it appears that Hoffa is not even interested in supporting the strike, except for his own political purposes.

Consider these facts:

First, we learned from a reporter that Hoffa, through his PR man Richard Leebove, has been quietly feeding information to the two scab papers during the strike. Reportedly the coverage in the scab news is quite favorable to Hoffa.

Second, we note that, unlike some 100,000 other Detroit area folks, Hoffa does not even sport a "No Scab Papers" lawn sign at his home. Neither does his law firm, which he is on leave from.

Third, Hoffa scabbed on another labor boycott in Detroit recently. On Dec. 18 Hoffa debated TDU organizer Ken Paff on the Fox TV network concerning his failure to acknowledge defeat in the rank and file election. Paff refused to appear on the Detroit Fox affiliate (Channel 2) because of a well-publicized labor boycott of the station. He appeared at a separate, independent studio. Hoffa violated the labor boycott by utilizing the Channel 2 facilities.

'Most Democratic Teamster Election in History'

The Election Officer (E.O.) on Jan. 2 issued the results of a detailed investigation that disproves any claim of "missing ballots" by the Hoffa campaign. The decision goes on to detail that Hoffa's own observers knew all along how many ballots had been cast.

The Election Officer's report shows that the U.S. Postal Service has determined that the Bethesda, Md., post office initially overbilled the E.O. for the number of ballots received, and reimbursed the E.O. $6,384 for the error. The post office's ballot count is within .5 percent of the U.S. ballots counted by the Election Office.

The investigation further confirms that Hoffa's own observers counted 1,168 ballot envelope trays, or just one tray more that the Carey campaign observers. The E.O. notes that "the tray count was transmitted daily to protester's (Hoffa's) counsel, who therefore knew all along that the number of ballots received from the post office was extremely close to the final number announced by the Election Officer on Dec. 14 ... however, this information was never voluntarily disclosed (by Hoffa)."

So Hoffa has known all along that his charges of "missing ballots" were phony. He has provided not one shred of evidence to counter the E.O.'s report.

Judge Kenneth Conboy held a hearing on Hoffa's appeal of the E.O.'s decision and on Jan. 22 ruled that "the Hoffa Slate has not made the slightest attack upon the completeness and integrity of the Election Officer's investigation and findings."

Make no mistake about it. Hoffa is not dumb enough to believe the crap he is spreading. He knows it's over, and he lost. But he has a plan.

The plan is to spread the myth that our democratic Teamster election was rigged. Hoffa and his supporters want to not only undermine Ron Carey, but to undermine our democratic process itself. Their goal is to undermine the Right to Vote, because they know they've thrown their best punch and lost. They cannot win a democratic election.

This was the most democratic Teamster election in history. It was conducted by mail balloting. The ballots were protected by layers of security. Hoffa was permitted (as was Carey) to have 39 observers with the ballots from beginning to end, 24 hours a day.

All Teamsters—whether they voted for Hoffa, Carey, or didn't vote—can be proud of our democratic process.

If you would like a copy of the Election Officer's full report in this matter (Post-26-EOH), contact the TDU office. Free to TDU members, others send donation.

GROW UP JUNIOR! You lost in a fair election, and you know it.

Preliminary Totals 1996 IBT Officers Election from the Election Officer (Jan 10, 1997)

General President:

(C) Ron Carey*	233,369	51.71%
(H) Jim Hoffa	217,802	48.28%

General Secretary-Treasurer:

(C) Tom Sever	220,248	49.98%
(H) Tom Keegel	208,122	47.25%
(SU) Kenneth Hollowell	12,161	2.75%

Vice President At-Large: (elect 5)

(C) Diana Kilmury	222,919	10.37%
(C) Jim Benson	219,284	10.20%
(C) Richard W. Nelson	218,833	10.18%
(C) Jack Cox	218,500	10.17%
(C) John Riojas	216,062	10.05%
(H) Tom O'Donnell	211,872	9.86%
(H) Sam Theodus	208,079	9.69%
(H) Chester Glanton	206,844	9.63%
(H) Ralph Taurone	206,280	9.60%
(H Fred Gegare	205,882	9.58%
(SU) Robert H. Spearman	13,362	.62%

Trustee: (elect 3)

(C) Sergio Lopez	224,310	17.07%
(C) Eddie Kornegay	223,736	17.03%
(C) Joseph Padellaro	223,261	16.99%
(H) Mary Lou Salmeron	216,663	16.50%
(H) Ron McClain	213,288	16.24%
(H) John Steger	211,747	16.13%

Vice President, Teamsters Canada: (elect 2)

(C) Charles Thibault*	11,709	33.01%
(C) David P. Kozak*	11,376	32.07%
(H) Garnet Zimmerman	6,217	17.52%
(H) Tom Baldwin	6,165	17.38%

Vice President, Central Region: (elect 5)

(H) Dotty Malinsky*	87,313	11.12%
(H) Pat Flynn*	86,563	11.02%
(H) Phil Young*	86,541	11.02%
(H) Les Singer*	85,449	10.88%
(H) Walt Lytle*	85,248	10.85%
(C) Lorelei Anderson	69,090	8.78%
(C) Dennis Skelton	68,320	8.69%
(C) Bill Urman	68,146	8.66%
(C) Lon E. Fields, Sr.	67,799	8.62%
(C) Frank J. Busalacchi	67,354	8.56%
(SU) Charlie Walker	5,069	.64%
(SU) Leroy Ellis	4,775	.60%
(SU) Jim Tol	3,879	.49%

Vice President, Eastern Region: (elect 4)

(C) John P. Morris*	80,231	14.50%
(C) Carroll E. Haynes*	79,964	14.46%
(C) George Cashman*	79,687	14.41%
(C) Tom Gilmartin, Jr.*	78,896	14.26%
(H) Betty Rose Fischer	59,457	10.75%
(H) John Murphy	59,018	10.67%
(H) Richard Volpe	57,967	10.48%
(H) Dan DeSanti	57,757	10.44%

Vice President, Southern Region: (elect 2)

(C) Aaron Belk*	20,406	26.70%
(C) Doug Mims*	20,376	26.66%
(H) Randall Copeland	17,888	23.41%
(H) T.C. Stone	17,743	23.22%

Vice President, Western Region: (elect 3)

(C) Tom Leedham	43,354	16.99%
(C) Ken Mee	43,023	16.86%
(C) Ed J. Mireles	42,778	16.77%
(H) Chuck Mack	42,566	16.68%
(H) Jim Santangelo	41,794	16.38%
(H) Jon Rabine	41,541	16.28%

KEY:
(C) = Carey Slate member
(H) = Hoffa Slate member
(SU) = Stand Up Slate member
Names in bold are the winners for those positions. An asterisk denotes that the E.O. has declared this candidate the winner. Not enough challenged ballots remain to affect the outcome of that race.
NOTE: As we go to press, 12,956 challenged ballots remain. The E.O. is determining eligibility of these voters, and the next counting date is scheduled for Jan. 31. At that time all the remaining at-large positions may be officially settled.
It is highly unlikely that the challenged ballots will affect any positions except possibly in the West, where Ed Mireles is currently 212 votes ahead of Chuck Mack.

Take the Money and Run

T.C. Stone Leaves Union

T.C. Stone, one of the pillars of the Hoffa Slate, took a withdrawal card from the Teamsters in January and will start collecting his multiple pensions. Stone was the secretary-treasurer of Dallas Local 745 until corruption charges landed that local in trusteeship last August.

His retirement came just two weeks before a scheduled hearing on charges against him for giving interest-free loans to officials and BAs from the union treasury. It's not clear if he will show up to defend himself or not. In any event, charges will proceed against him and three other former Local 745 officials: Tyson Johnson, Allen Stanford and Charles Rogers.

Anyone taking bets on the next Hoffa running mate to check out?

Central States Pension: Step up the Pressure

Fat Cat Pension Trustee Resigns

After months of prodding, urging and demanding by Ron Carey, some local officers, and rank and file Teamsters, Jerry Cook was forced to resign as a trustee of the Central States Pension Fund. His replacement is George Westley, president of New Orleans Local 270.

Cook, retired on five Teamster pensions, was asked to resign after the discovery that the Southern Conference Pension Fund (an officers-only fund that Cook also served as trustee for) paid some $30,000 to Cook's ex-wife on a debt he personally owed her.

When Cook refused to resign, Carey asked the three other Central States trustees to force his removal. Instead of taking swift action to protect the members' money, the old guard trustees closed ranks. They commissioned an investigation of the Cook affair. The trustees' own investigator found Cook "ill equipped to continue to serve as a trustee of an ERISA pension plan."

As the Teamster election neared, Cook agreed to resign effective Dec. 31, 1996. By that time, old guard Teamsters who needed to shield themselves from association with the crooks and cronies among our past Central States trustees were most likely relieved to see Cook go.

Cook's replacement, George Westley, was "elected" by a five to four vote of the Southern Trustee Appointment Board (STAB) over Atlanta Local 728 president Don Scott.

The nine members of the STAB are selected by the principal officers in each of the nine Southern states in the pension fund. The old guard trustees, with the help of Ronald Kubalanza, the fund's $260,000-plus a year director, were forced to reconstruct their good old boys' club after Carey and the GEB abolished the four U.S. Area Conferences in 1994.

Westley To Wait and See

We talked to George Westley about his views on increasing benefits, on the fund's campaign mailing against Ron Carey, and on creating a new, democratic trustee-selection process that would bring more accountability to the rank and file. Westley said he had no opinions on any of these important issues, but would wait and see.

Ron Carey has proposed that all benefit fund trustees be active members or officials elected democratically and openly by participating local unions. TDU pension activists would like to take that one step further and have the directly elected vice presidents serve as pension trustees. Both ideas have strong support among the rank and file and some support among reform minded officers in the Central and Southern regions.

Benefit Increases on Horizon?

Many rank and filers are hopeful that with political motives out of the way, the trustees will move quickly to bring in long-awaited and already negotiated benefit increases. No one, though, is putting bets on it. After all, it's easy to be indifferent to the needs of the members when you've got yours.

With UPS contract talks nearing, no one wants to see the union negotiate twice for the same improvements. Ron Carey has sent a strong message to the trustees warning them not to let this happen. Lagging funds like Central States will not help unite our membership when UPS comes to the table with their own proposal to split Teamsters off into a company-controlled pension plan.

Rank and file pressure on our trustees is the key to changing the system to get accountable trustees and better benefits. Contact TDU to keep informed on this battle or for how you can help.

Houston, Tacoma

Upcoming Local Elections

Houston

Houston Local 988, which has been in trusteeship for the past 15 months, is gearing up for an important election. Nominations will be held on Feb. 23 for an election that should set the stage for a new era in that formerly troubled local.

Former local president Richard Hammond is under federal indictment for embezzling $186,000 from the union treasury. Hammond used union funds for his own hunting adventures, monogrammed luggage, shotguns, silk underwear and more.

TDU members and other reformers swept the delegate race last year, and are now working hard to win the election and lead Local 988 forward in step with the Carey team.

Tacoma, Wash.

Tacoma Local 599 is about to hold a rerun election because of the failure of the officials to provide ballots to all members in an election held one year ago. The ballots will be mailed out in February and counted in early March.

The race is between opposite philosophies. Local secretary-treasurer David Lovell is an old guard stalwart who campaigned extensively to preserve the area conferences (and multiple salaries) and for Junior Hoffa. He faces challenger Pat McBride, a TDU leader who heads a reform ticket allied with President Carey.

McBride and his team are taking their campaign to the shops for meetings and discussions with fellow Teamsters. Lovell so far has oddly relied on using the clerical employees at the union hall to front for him. He issued a campaign letter signed by the three clericals, which falsely claims that the election was ordered to be rerun for no reason (the reasons were carefully documented), that the Department of Labor disapproved of the rerun (the DOL signed off on it), and that McBride said he would fire all the clericals.

Washington, D.C., Local 639

Union Pressure Wins Giant Food Drivers Job Protections

Washington, D.C., Local 639 Giant Food truck drivers overwhelmingly ratified an agreement with the grocery chain recently that provides present workers with lifetime employment-guarantees and saves jobs for future generations of Baltimore/Washington area residents. The ratification vote brings to an end a tough five-week long strike during the recent Christmas holiday season. The vote was 247 to 25.

The agreement guarantees drivers won't be laid off due to outsourcing, a practice where the company hires outside contractors who pay substandard wages and benefits. The guarantee will last throughout the employee's time on the job. It also preserves good jobs for future generations of Washington and Baltimore area residents because Giant agreed not to use contractors to deliver groceries in this area.

There are two important reasons why the outcome of this strike was successful. One, Local 639 and Joint Council 55 worked hand in hand with the IBT Strategic Campaigns Department and the Warehouse Division to devise and implement a plan to bring pressure on the company. And, the strength of the rank and file members, community activists and other trade unionists who volunteered to picket Giant store in the consumer boycott campaign. The consumer boycott caused the business in many Giant stores to be off as much as 40 percent.

The IBT assisted with plans for a demonstration at the British Embassy and reached out to the British unions and the British Parliament to pressure Sainsbury (owner of Giant Food) into settling. Sainsbury is a multi-national British corporation headquartered in London. Union members in London picketed Sainsbury's grocery stores and Teamster members in the Northeast picketed Shaw's supermarkets which is also owned by Sainsbury.

One sour note in this struggle was the reluctance of the United Food and Commercial Workers, representing the clerks, to back the strike. There has been enough division between Teamsters and the UFCW over the years, and it's time to build a bond of solidarity among unions in the grocery industry.

Real Important Stuff!

In the future please do not go to your union meetings. The members only get in the way of BAs and people who know what's best for you. So if you haven't been to a union meeting in a long time, please don't start going now. You are no longer needed. Thank you for staying at home.

Most matters are beyond the union's control when you are told about them. Agreements have been made with the union and management without you. So don't waste your time by showing up at meetings to have things explained. The less you know, the less you have to worry about. Everyone ought to think about becoming a driver-trainer or supervisor-wannabe so you can turn in other drivers and get special treatment from management.

That's the only seniority you need. Be self-directed! Self-appointed! Make deals for yourself! That way you will know you are being getting screwed before your union does.

The Union Meeting is Saturday, January 25th

An anonymous flyer distributed among members of Cleveland Local 407 in January. One way to motivate members?

Milwaukee

Union Solidarity Shuts Down Scab Construction Site

Members of Milwaukee Local 200's Volunteer Organizing Committee (VOC), along with Building Trades members, shut down construction of an Aldi's grocery warehouse after it was determined that the contractor was using nonunion cement in the building of the masssive facility.

Union members picketed in front of cement trucks attempting to enter the worksite, and members of the Operating Engineers walked off the jobsite in support. Faced with such solidarity, the contractor agreed to fire the nonunion cement company and replace it with one represented by Local 200.

The scab cement trucks were sent away without being allowed to deliver their load.

Darryl Connell, organizer and developer of Local 200's VOC, stated, "There is strength in numbers. We asked our members to participate and they did."

Cashman Slate Wins in New England Joint Council 10

Glenn Kulbako
Local 504 recording secretary
Boston

Local 25 President and newly elected Eastern Region Vice President George Cashman rolled to an easy Dec. 15 victory over Hoffa Slate member John Murphy for control of Joint Council 10. Cashman defeated former IBT President William McCarthy for control of Local 25 in 1991.

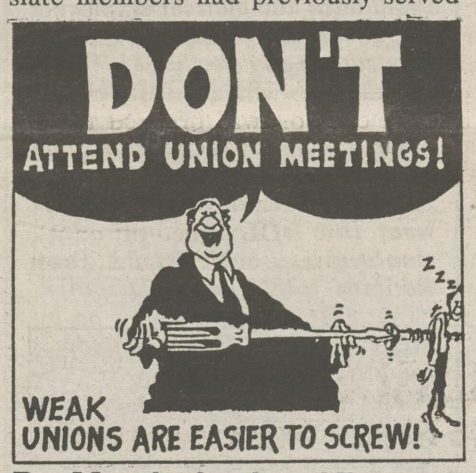
Joint Council 10 includes five New England states. While some Cashman slate members had previously served on the JC 10 executive board with Murphy, this election is widely considered the sunset of the Billy McCarthy era, despite some concerns regarding Cashman wearing too many hats.

A New Environment

The weakness of old guard appeal in JC 10 became apparent in 1995 when Murphy barely got enough votes to endorse the Real Teamster Caucus, an internal political organization deemed in violation of the IBT Constitution and of the Election Rules. By the time of the November nomination meeting, the Cashman slate received loud cheers from supporters, while Murphy was booed by a guest—an unthinkable act in the oppressive environment of the council just five years before.

Active Members Key

Cashman campaigned hard for the JC 10 election, and most likely benefitted from his place on the Ron Carey Slate. He is expected to make some changes in the council. The defeat of one-party rule in JC 10 could not have happened without an active rank and file.



Dr. Martin Luther King Day

'Garbageman' Proud He Stood Up in Memphis

Susan Watson

*Reprinted from the **Detroit Sunday Journal** with permission.*

As the nation observes the birthday of the man whose name is synonymous with the struggle for human rights, it's as good a time as any to talk about Taylor Rogers.

Rogers was 42 years old back in 1968. He had a wife, a job, eight young kids and a new house the family had just bought. Every morning Rogers would get up and go to work collecting garbage off the streets of Memphis, Tenn., for the princely sum of $1.80 an hour.

He was one of 1,300 garbagemen, as they were called back then, who had been trying to persuade the city to recognize their union and negotiate a contract. Lord knows, if anyone needed a union it was the garbagemen. Even their title demeaned them.

The predominately black workers had no job protection, no overtime pay, no say in their working conditions and no benefits, except eligibility for food stamps. When two men were crushed while loading the hydraulic packer of a truck, they didn't even qualify for workers' compensation.

"We weren't treated as citizens," Rogers recalled. "We didn't have no dignity. If the man called your name at roll call and you did not answer right, he'd tell you to go home and you didn't get paid. If he told you to stay out all day you had to do it.

"Our working conditions were so bad that everybody got tired of being treated like that. We decided to stand up and be men."

On Feb. 12, the workers went on strike. The mayor called the action illegal and fired the strikers. Memphis police protected the scabs who took their jobs. Strikers and supporters were jailed. Negotiations faltered. Garbage piled up on the streets and the community began to rally behind the men who, Rogers said, "were willing to risk everything" for fairness.

"The community came together, blacks and some whites. They gave us food and money to pay your bills," Rogers said. "White ministers were telling the mayor that this had gone from being a labor thing to a racial thing because we were mostly black."

During the seventh week of the strike, Dr. Martin Luther King went to Memphis to lead 5,000 people in a march in support of the garbage workers. Rogers was there. He watched as the march quickly turned violent. Bands of youths began breaking windows and looting. Police responded with tear gas and night sticks. By the end of the day, one man had been killed by police and 62 people, including policemen, had been injured.

"We felt bad because we were having a nonviolent march," Rogers said. "Sometimes I think these people were planted to discredit Dr. King, but that's just my personal opinion."

King called for another march on April 8. He vowed it would be peaceful. Four days before it was held, King was shot to death on the balcony of the Lorraine Motel. But his march went on, and Rogers with nearly 20,000 marchers from around the country. "That was the silent march," he said. "Dr. King had come back to Memphis to prove he could lead a peaceful march. We proved it for him."

Eight days later the strikers won a union contract that gave them dues checkoffs and a 15-cents-an-hour raise phased in over five months.

Today Rogers is retired. He and his wife still live in the house they bought 29 years ago. When he talks of the now-historic strike, he says, "It makes you feel good knowing your struggle wasn't for nothing."

*Susan Watson is a regular columnist in the **Detroit Sunday Journal**, published by the striking newspaper workers. You can subscribe to the Journal by mail; 3 months for $15 or 6 months for $30. Mail to: **Detroit Sunday Journal**, Attn.: Mail Subscriptions, 3100 E. Jefferson, Detroit, MI 48207-5052.*

Save the Date!

1997 TDU Rank & File Convention
Nov. 21 - 23
Cleveland Sheraton

Make plans now to attend the most important Teamster event of the year!

Minnesota TDU Backs 'Living Wage' Proposal

Minnesota TDU is backing a proposed "living wage" ordinance that has been introduced in the Minneapolis City Council.

The ordinance contains several provisions that help workers and directly benefit Teamster members.

The ordinace includes provisions that:

- Severely curtail the city's ability to contract out work. Many city truck drivers and most Convention Center workers are represented by Teamster Local 320.
- Require that corporations that receive $100,000 or more in subsidies from the city pay their workers at least $8 an hour.
- Mandate that corporations receiving $100,000 in city subsidies must remain neutral in union organizing campaigns, recognize the union when a majority of workers have signed union cards and submit to binding arbitration on the first contract.

"The ordinance is an important step forward for labor and has our full support," said Erik Jensen, chair of the Minnesota TDU chapter. The ordinance was endorsed by Local 320 at its January membership meeting.

Unions in Ontario Protest Government Cutbacks

The provincial government in Ontario, Canada, recently announced a series of new cutbacks and privatization, changes that could throw tens of thousands of public employees out of work. This is on top of massive cuts implemented during Premier Mike Harris's first year in office.

The union movement, along with allies across the province, launched a series of protests last year in response to the cuts.

The most recent of these actions virtually shut down Canada's largest city, Toronto. Job sites throughout the area were picketed, resulting in many people staying away from work that day. Over 200,000 people rallied during the two-day event.

A whole new series of "days of action" are planned for this year. On June 13 and 14, activists plan to shut down Windsor, just across the river from Detroit. The Windsor area is home to most of Canada's automotive industry. Organizers plan to make cross-border solidarity a big feature of the Windsor protest.

Family and Medical Leave Act

Important New Tool for Unionists

Robert M. Schwartz

More and more unionists are discovering that the Federal Family and Medical Leave Act (FMLA) can save members' jobs, win grievances, and expand off-time benefits. The FMLA, along with the remarkable regulations issued by the U.S. Department of Labor (DOL), is a veritable goldmine of benefits, rights and pro-employee rules.

Still, some unions are ignoring this law. Some believe that the FMLA is a maternity leave law. This is far from the case. The most important feature of the FMLA is protection for employees who miss work because of their own medical conditions or because of the conditions of members of their immediate family.

History of the FMLA

Efforts to pass the FMLA began in 1985 when a federal court invalidated the California maternity leave law on the grounds of sex discrimination. In response, women's groups called for a national maternity leave law. To prevent the law from being invalidated, the proponents drafted language to expand leave rights to men and non-pregnant women. The medical leave provisions are the centerpiece of the law.

The FMLA was signed by President Clinton in 1993. The DOL was ordered to write regulations explaining the law. Final DOL regulations, issued in 1996, include hundreds of valuable rules.

Basic Rights

Employees eligible for FMLA benefits (see below) have a right to 12 workweeks (for most employees, 60 days) time off each year for one or more of the following reasons:

- For a serious health condition that disables the employee (medical leave).
- To care for a seriously ill child, spouse or parent (family leave).
- For childbirth or to care for a newborn child up to age one (childbirth and newborn care leave).
- To care for a new foster or adopted child.

Medical and family care leave can be taken intermittently, that is, in separate days. For example, an employee with a serious back condition is protected by the FMLA for up to 60 absences each year. An employee who works a six-day week can take up to 72 absences.

FMLA leave may not be denied because of production needs, busy operating schedule, or because the employer considers a job too important to allow time off. Nor may an employer order an employee to perform light-duty work in lieu of medical leave.

FMLA leave does not have to be paid. But if an employee has accrued paid time such as vacation or personal leave, the employee must be able to use it during any FMLA absence.

FMLA absences cannot be used against an employee in any manner. An employer cannot cite FMLA absences as a basis for imposing discipline, giving a poor evaluation, or denying a transfer or promotion. FMLA absences cannot be counted under "no fault" attendance policies. Employees cannot be threatened because of FMLA absences.

Eligibility

To come under the FMLA, an employee must have worked for his or her employer for at least 12 months and must have worked at least 1,250 hours during the year prior to the absence. Employees returning from long layoffs or workers' compensation leaves may not be able to use the FMLA for several months.

Notice

Proper notice is an important FMLA issue. Employees must provide notice of an FMLA reason for each absence. The notice should alert the employer that the employee is missing work because of a **serious medical condition** and not a minor illness such as a cold or the flu. Simply calling in sick is generally not sufficient. Employees need to provide the medical facts underlying their absences.

Contrary to many employers, an employee does not have to mention the FMLA or request "FMLA leave" when he or she calls in or gives notice that time off will be needed in the future. Employees are not expected to know anything about the FMLA. Several court decisions and the DOL regulations agree that an employee does not have to cite the FMLA in order to come under the act's protections.

The FMLA and the Contract

The FMLA and the union contract are not contradictory. Under the terms of the law, where the FMLA is stronger than the union contract, the FMLA applies. Where the contract is stronger than the FMLA, the contract applies. In other words, the employee has a choice of utilizing contract or FMLA rights, whichever is more beneficial.

Enforcing the FMLA

The FMLA is enforced by filing a complaint with the Wage and Hour Office of the DOL. This office investigates FMLA complaints and attempts to achieve settlement with employers. However, because of a serious lack of staffing, the DOL generally does not pursue union complaints in a vigorous manner.

Unions have found that the grievance system is the best mechanism to enforce FMLA rights. The FMLA can be raised in many union grievances, especially cases involving charges of excess absenteeism. Lawsuits can also be filed in state and federal courts where double back pay can be awarded for FMLA violations.

Using the Grievance System

The FMLA's most valuable use is to defend employees who have chronic serious medical conditions. Employees are protected even if they are absent on numerous occasions during the year.

When an employe is disciplined for "excess absenteeism," the union should conduct an FMLA investigation. For example, if an employee cited for 12 absences was absent on eight occasions because of a chronic back condition and two occasions because of serious family illnesses, the employer would have to drop 10 absences and would only have two to rely on, not enough to sustain discipline.

The FMLA can be decisive in promotion grievances. An employer's refusal to promote on the grounds of poor attendance is illegal if all or most of the employee's absences resulted from serious illnesses. An employer that admits that a promotion is being denied because of attendance reasons is guilty of an FMLA violation if the absences are FMLA-protected.

Employees may be able to use the FMLA to obtain holiday pay. Many union contracts deny pay if an employee is absent the day before or after a holiday. This rule violates the FMLA if the absence is caused by a serious medical condition.

The FMLA gives unions a basis for challenging job evaluations. If an evaluation grades an employee substandard in attendance, and if the employee's absences are FMLA-protected, the union would have a strong grievance to obtain a change in the mark.

The FMLA can be used to obtain attendance and safety bonuses. Since employees may not be penalized in any way for an FMLA absence, DOL regulations state that an employee cannot be denied a perfect attendance bonus because of FMLA absences. The same rule applies to safety bonuses.

Use the FMLA Creatively

There are many other ways to use the FMLA. For example, a freight company told its drivers that employees absent on Monday to Friday would have to make up the time by working Saturday or Sunday. This policy can be challenged because it penalizes employees who are absent for FMLA reasons.

Robert M. Schwartz is a Boston union labor lawyer. He is the author of "The FMLA Handbook: A Practical Guide to the Family and Medical Leave Act for Union Members and Stewards," available from TDU or Work Rights Press (see ad at left).

Boston Local 504

FMLA Grievance Victory

Bob Schwatrz's recently published "FMLA Handbook" provided the information which led directly to a $6,000 grievance settlement at Admiral Metals, a Local 504 warehouse in Woburn, Mass. In October 1991 the union negotiated a "perfect attendance bonus" with that employer. It provided for a $500 bonus for one year's perfect attendance, and an additional $2,500 for five years' perfect attendance. While it was not specifically spelled out in the contract, workers' compensation absences were not counted against the employee for the purpose of perfect attendance.

When a new labor relations man arrived on the scene he decided to quit paying the attendance bonus to to employees who had been out on workers' compensation, and also claimed that four workers who had been out on comp had mistakenly received $500 bonuses. Grievances were filed by all four employees. In investigating the grievance the union found that two of the grievants had workers' comp absences that were covered under the FMLA. Accordingly, the company capitulated and paid them each the $2,500 due. In addition, the company had to pay another $1,000 for other covered FMLA absences.

The union is still going to arbitration for the other two grievants because their absences were prior to February 1994 (the date the FMLA went into effect for unionized employees). Local 504 BA Dave Robbins told Convoy Dispatch, "The 'FMLA Handbook' is an indispensible tool. We bought copies for all Local 504 stewards. The FMLA is the only decent piece of pro-labor legislation that workers have had in a long time. We need to learn to use it, and this book lays it all out."

Now Available from TDU

The FMLA Handbook

A Practical Guide to the Family and Medical Leave Act for Union Members and Stewards

Learn how to use this important new act to benefit yourself and your co-workers. $9.95 each. Number of copies ordered: ____

❑ check or money order

Visa/Mastercard # _____ Exp. date ___/___

Name _____ Local # _____

Address _____

City _____ State _____ Zip _____

Return to: TDU, Box 10128, Detroit, Mich. 48210

LETTERS FROM OUR MEMBERS

Open Letter to Hoffa Junior

Sir, I just wanted to thank you and all your buddies for making this the best Christmas ever. Despite all your money, lies and distortions, you and all your slick public relations con men still could not fools enough members to defeat the most honest, decent leader our union has had since its inception.

You did, however, accomplish one thing; you succeeded in splitting the membership. I am sure that this makes you and your employer friends very happy. I have always known that you were nothing but a bunch of corporate moles, and your efforts come as no surprise.

Rest assured Mr. Hoffa, and please inform your friends, that we will not rest on our victory. We will pursue you like a rooster on a June bug. Not until we rid this great union of all its rogues and scoundrels, and see to it that the union is run for and by its members, will we rest.

Bill Slater
Local 315, retired
Lakeport, Calif.

Give Casuals Pension Credit for All Hours Worked

I work as a casual under the freight contract for several companies and as a part-time driver for UPS. It has been over three years since I've been a full-time employee.

I would like to see the new contracts provide pension credits paid on all hours worked by casuals and part-timers. Currently, if I work for one company as a vacation replacement for 60 hours in one payroll period, and then get no hours in the next payroll period, my total contributions for the two weeks would be 40 hours, not 60. If I don't get work some weeks, at the end of the year it is impossible to earn 12 months of pension credits even though I have worked enough total hours.

Loren Reed
Local 633, casual
Manchester, N.H.

Involve Members in UPS Contract Negotiations

Full-time employment and a base pay of $14 per hour for part-time UPS workers would go a long ways toward stabilizing the workforce and enriching both workers and employer. UPS cleared a cool billion in 1995 based on their domestic market in North America and the exploitation of part-time labor. We want 10 percent – 100 million – to fund an increase to a part-time base pay of $14. This is both financially possible and the moral thing to do. Nobody works harder than part timers. It's incredible that UPS has convinced so many to work so hard for so little money.

We expect our union negotiators to push part-time issues and a total restructuring of Article 40 air work. The expansion of part-time jobs must be stopped.

The rank and file need confidence in their negotiation committee and this can only be achieved by communication and member participation in the negotiations. Ron Carey is proud to be the first Teamster president to include rank and file members in UPS negotiations. We expect the negotiating committees of both the supplements and riders to follow Carey's example. How can any union official claim to be democratic if they deny the members the right to participate in the negotiations of their own contracts?

If we are to have any future at UPS we must struggle to win it this contract. Involving the members will make us stronger

Roger Wilkins
Local 315, UPS
Martinez, Calif.

Thanks to TDU

As the election results come in it is becoming apparent that you, I, Ron Carey and the Teamster membership have witnessed another historic event in the life of the Teamsters union. I want to take this opportunity to share my appreciation for all that TDU has done to make this victory possible.

Most people will tell you that it is harder to win back to back championships than it is to win your first. This dynamic was never more true than in this election. I believe without the efforts of TDU and all the thousands of activists that make up its army we would surely be on the outside looking in right now. Because of you I am proud to be a Teamster and even prouder to be a part of TDU.

Considering all the years of struggle that Ron's first election represented I could not bear the possibility of seeing all that go down the drain because of member apathy. Because of you it didn't.

Due to my family and community commitments, as well as the close relationship I have with the Valdosta UPS barn where I serve as steward, I have never aspired to any calling higher than that of member/activist. TDU has helped to make that a noble aspiration.

Butch Traylor
Local 728, UPS
Valdosta, Ga.

Petition for UPS Transfer Rights

This has been an amazing month in San Francisco. It started with two UPS drivers who were fed up with commuting over two hours a day to and from work, even though we live five minutes away from another UPS hub. Now we've discovered that thousands of people across the country feel the same way.

We wrote a petition that asks for UPS employee transfers anywhere in the U.S. without losing building seniority. Ninety-seven percent of the people we asked signed the petition.

When we presented the proposal at our Teamster/UPS negotiations topics meeting on Jan. 11, the audience applauded. Since then, we've been faxing copies of the petition around the country and talking to Teamsters who have helped tremendously.

Every Teamster officer we've talked to from coast to coast has offered their support on this issue. We hope you will, too. All you need to do is call Steve King at (510) 689-2887 or the TDU office at (313) 842-2600 to receive a copy of the petition. After getting as many signatures as you can, mail it back to the address on the bottom of the petition.

Spend a few minutes of your time this week, and next year you may be able to transfer to your desired location. You **can** make a difference.

Steve King
Local 278, UPS
San Francisco

Another Skirmish Won in Election

Congratulations on the successful election of the Carey Slate. It could not have been done without the hard work of TDU over many years. Another skirmish has been won in our ongoing battle against the forces of evil within our union.

In 1979 on a strike line at Whelan Trucking, Local 807 President Joe Mangan made a remark to us PROD and TDU members, to wit: "We've seen dozens of people like you come and go over the years, but you never make it."

I wonder what he is thinking now? It may have taken 20 years, but we succeeded in "making it." I, for one, am very proud to have been a member of PROD and TDU since 1976.

I would like to commend the staffers who answered the phones at TDU during the election. My many calls for updates were answered in a very professional and courteous manner. They surely lived up to the high standards of TDU.

Ed Sorensen
Local 807, retired
Swiftwater, Pa.

Editor's note: The staff would like to recognize and thank striking Detroit newspaper workers Rick Torres and Gary Rusnell who volunteered many hours to help answer phones during the vote count.

Feb. 16, CNN

TV Show on Teamsters Future

"CNN Presents" is preparing another documentary on the Teamsters union, following up on the serious piece that was aired in November. This segment will be on the future of the Teamsters union and its role in labor's future. It is scheduled for broadcast on Feb. 16 at 9:00 p.m. Eastern Time (8 p.m. Central, 7 p.m. Mountain, 6 p.m. Pacific).

'Wake Up and See the Light'

Keep up the good work. I just can't believe how many members voted for the Hoffa Slate. I guess there are still a lot of our brothers and sisters out there who don't give a damn about the old guard getting two, three and four pensions and medical plans while we have to beg and fight to get and keep just one plan. These members need to wake up and see the light before there is no light to see. Ron Carey needs and deserves these people's support.

B.B. Thomas
Local 886, retired Roadway
Oklahoma City

TDU Meets

ARIZONA TDU
Saturday, Feb. 22
1 p.m.
2210 W. Morten, Phoenix

BAY AREA TDU
Saturday, March 15
10 a.m.
Call (510) 791-6396 for information.

MINNESOTA TDU
Sunday, March 2
1 p.m.
Broadway Pizza
W. Broadway and W. River Rd.
Minneapolis

SOUTHERN CALIFORNIA
Sunday, April 6
9 a.m.
VFW Hall
101 S. Main St.
Pomona, Calif.
For information call (310) 694-5831 or (619) 951-4949.

TDU International Steering Committee

Co-Chairs:
Dan Campbell, San Antonio Local 657
Diana Kilmury, Vancouver, B.C., Local 155
Michael Ruscigno, New York Local 802
Michael Savwoir, Kansas City, Mo., Local 41

Organizer:
Ken Paff, Detroit

Trustees:
Frieda Burgan, Phoenix Local 104
Mike Caffrey, New York Local 868
Mike Turnure, Minneapolis Local 320

Members:
George Beam, Lexington, Ky., Local 651
Patricia Franks, Allentown, Pa., Local 773
Gillian Furst, Minneapolis Local 1145
James Jacob, Providence, R.I., Local 251
Homer Lambert, Chicago Local 743
Patrick McBride, Tacoma, Wa., Local 599
Lucio Reyes, Stockton, Calif., Local 601

Alternates:
Bob Blanchet, San Jose, Calif., Local 287
Alex Adams, Cleveland Local 407
Willie Smith, Columbus, Ohio Local 413

Diana Kilmury
Vancouver, B.C.

January, 1997

Dear Reader of Convoy Dispatch,

I want to thank you for your effort and support in keeping reform alive in our union.

Although the election is behind us, the fight is not over. We face a determined adversary, with millions and even billions of dollars in resources. It's the employers, and they do not want a strong, active Teamsters union to get in their way. If we are to improve our working conditions, and extend the benefits of unionism to the many, many workers who desperately need it, we've got to keep moving forward.

An active membership is the solution. Accept no substitute. No one person can take on the employers. That's why we have a union. Unfortunately, we've seen the strength of our union get sapped over the years. Regaining our strength means action and joining TDU is the best way to stay informed about developments in the Teamsters.

The TDU movement has been fighting for over 20 years now for decent contracts, membership participation and a forward direction for our union, and it continues to do so. However, TDU needs you to join and be part of this movement. You are the lifeblood of this union and being in TDU puts you together with thousands of other people just like you.

If you read Convoy Dispatch and are not a member of TDU, the time has come for you to join. It's not hard, just fill out the application below, and send it in along with your dues payment. You'll get Convoy Dispatch sent directly to your home and will be part of the most successful rank and file movement in North America.

I'm proud to be a Teamster and proud to be a member of TDU. I want to share that pride with you. Please join with your fellow Teamsters. We have so much we can achieve if you do.

In Solidarity,

Diana Kilmury

Diana Kilmury
International Vice President, IBT

yes! count me in

An active, informed membership is like money in the bank. We can take on the corporate agenda and win, but only if we unite.

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Phone (____) _____ Company _____

❑ City ❑ Road ❑ Dock ❑ Clerical ❑ Warehouse ❑ Construction ❑ Production

other _____

___ $35 one-year membership & subscription to *Convoy Dispatch*.

___ $85 three-year membership fee. ($10 shall be rebated to the local chapter)

___ $20 for spouses, retirees and Teamsters who gross less than $17,000 a year.

Check or money order

Mastercard/Visa # _____ Exp. date ___/____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential from employers.
TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers.